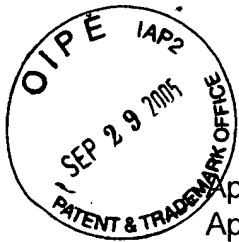


Application No.: 09/745,751
Amendment Rule 111 dated September 29, 2005
Reply to Office Action dated June 29, 2005
Attorney Docket No.: 3486-018

EXHIBIT D

Mark J. FRIEDMAN, DDS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/745,751 Confirmation No.: 1104
Applicant : HOCHMAN, Mark N.
Filed : December 21, 2000
TC/A.U. : 3763
Examiner : HAYES, Michael J.

Docket No. : 3486-018
Customer No. : 22440

DECLARATION UNDER 37CFR 1.132

I, MARK J FRIEDMAN, DDS (appropriate

degree), hereby make the following declaration in support of the above-named application:

1. I reside at 5035 AMIGO AV FAZANA, CA 91556
2. I am a licensed dentist and I have been practicing Dentistry for 30 years.
3. I have written and published many articles in the field of dentistry, including articles related to Local Anesthesia. I have also reviewed many articles in this field and I am frequent lecturer, having made presentations all over the world.
4. A copy of current Curriculum Vitae is attached providing more details of my background and expertise in the field of dentistry.
5. One problem in the field of dentistry and more particularly, during the injection of an anesthetic into a living tissue prior to performing dental procedures pertains to needle

bending. As a needle is introduced through tissues to a preselected site for delivering an anesthetic, it frequently bends. This action causes discomfort in the patient and pain. In many instances, a patient either stiffens up, or, worse, tries to move involuntary away from the needle, or close his mouth, thereby causing even more discomfort.

6. Recently, Dr. Mark Hochman disclosed to me his invention, that solves the problem of needle bending. More specifically, Dr. Hochman has disclosed to me:

a method of injecting a drug into a patient through a needle having a lumen comprising the steps of:

advancing said needle into the tissue linearly along a longitudinal axis of the needle;

simultaneously rotating the needle along its longitudinal axis to reduce deflection of the needle; and

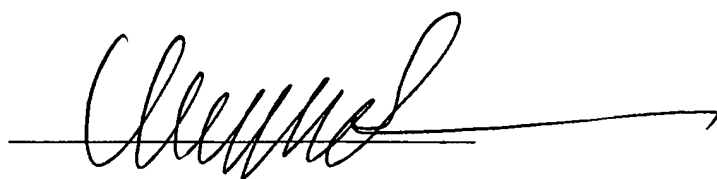
injecting the drug.

7. Initially, I had some doubts that this procedure would work. However, I have tried this technique at least 50 times on patients and I found that it is very effective in reducing needle bending and, subsequently, in reducing or eliminating patient discomfort and pain.

8. I found that for the procedure was effective as long as I kept the needle rotating to change the orientation of the bevel of the needle in somewhat continuous manner

during the insertion, and that the total angle of rotation of the needle, or whether it was rotated only in a single direction, or back and forth, did not matter that much. I found that it was very easy for me to determine intuitively how much to rotate the needle from the reaction of the patient. More particularly, if I did not rotate the needle enough to prevent it from bending, the patient became uncomfortable as indicated by his body language and other indicia, including verbal communication from the patient, Because of this immediate voluntary or involuntary feedback from the patient, it was very easy to adjust the procedure to each patient as required.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A handwritten signature in black ink, appearing to be 'C. L. M.', written over a horizontal line. The signature is stylized and cursive.

Dr.

Date: 9-8-05



Mark James Friedman, DDS
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Dr. Friedman is a prolific author and internationally recognized lecturer on esthetic restorative dentistry. His attraction to esthetics began when he graduated from the USC School of Dentistry in 1975 and he has pursued that interest for the past 30 years. In 1987 he was nominated into the prestigious American Academy of Esthetic Dentistry and served as president in the year 2000. He is a Fellow in both the American and International College of Dentists and enjoys membership in numerous professional organizations and honor societies. Dr. Friedman is credited with numerous innovations in clinical practice. He developed the contact lens effect for porcelain veneers. He co-authored the first articles that defined the AMSA and P-ASA local anesthetic block injections. His current interests include microscope assisted precision (MAP) dentistry and most recently sleep disordered breathing (SDB). He is a professor of clinical dentistry at the University of Southern California, School of Dentistry and maintains a full-time private practice at the Center for Dental Aesthetics in Encino, California.